

Minimization and Mitigation Measures for Timber Operations  
in Watersheds with Listed Anadromous Salmonids

New Language

~~Proposed Deletions~~

Adopt New 14 CCR § 916.11, 936.11, and 956.11 Monitoring for Adaptive  
Management in Watersheds with Listed Anadromous Salmonids [All Districts]

(a) Goal: The Board will develop a monitoring and adaptive management  
program for timber harvesting operations in watersheds with listed anadromous  
salmonids. The purpose of the program will be: (i) to determine whether or  
not the operational Forest Practice Rules and associated hillslope and  
instream mitigation measures afford a level of protection that is both  
appropriate and adequate to ensure protection of anadromous salmonids and  
their habitats, (ii) to provide essential monitoring necessary to ensure the  
Forest Practice Rules are being implemented in a manner consistent with the  
California Endangered Species Act as required under 14 CCR § 896, and (iii)  
to provide a timely feedback process for the Board to assess rule  
effectiveness in meeting the stated goals under subsections (i) and (ii).

(1) The monitoring component of the program will provide the  
information necessary to evaluate the effectiveness of mitigation measures  
and identify when site-specific mitigation or operational rules should be  
revised to better accomplish the goals of the Board.

(A) Four types of monitoring will be addressed under the program  
including: (i) compliance, (ii) implementation, (iii) effectiveness, and (iv)  
validation.

Monitoring for Adaptive Management Proposal  
09/28/06 - DRAFT

1       (B) Review Team agencies will continue to conduct mandated  
2 compliance and implementation monitoring as part of their regulatory  
3 responsibilities.

4       (C) Effectiveness monitoring will be undertaken by the landowner, or  
5 be a cooperative effort between landowners and the regulatory agencies.

6       (D) Long-term validation monitoring will be undertaken by the  
7 landowner, or facilitated through cooperative agreements among stakeholders  
8 and the agencies. This includes monitoring the species' responses.

9       (E) Monitoring that meets the intent of this section may include  
10 efforts that are already underway by the landowner, agencies or other  
11 cooperatives.

12       (2) The adaptive management component will be a process of action-based  
13 planning, monitoring, evaluating and adjusting through use of the scientific  
14 method; with the objective of improving habitat conditions and facilitating  
15 conservation of listed anadromous salmonids.

16       (A) Four elements of adaptive management will be addressed under the  
17 program including: (i) identification of substantial new information, (ii)  
18 collection of substantial new information, (iii) evaluation of substantial new  
19 information, and (iv) determination regarding the necessity or benefit of  
20 adjustments and improvements to mitigation and protective measures, including  
21 the Forest Practice Rules, based upon the substantial new information.

22       (b) The following monitoring requirements shall apply to timber harvesting  
23 operations in watersheds with listed anadromous salmonids in addition to the  
24 inspection requirements outlined in PRC § 4604:

Monitoring for Adaptive Management Proposal  
09/28/06 - DRAFT

1       (1) In collaboration with other Review Team agencies, the Director  
2 shall develop monitoring practices to evaluate the effectiveness of  
3 mitigation measures at the appropriate scale, on a case-by-case basis.

4       (A) In development of monitoring practices, the Director may also  
5 engage other experts in the field for assistance.

6       (B) Monitoring practices will be applied by the Department, the  
7 landowner(s), Review Team agencies, or a cooperative interdisciplinary team.

8       (2) Monitoring strategies may be peer reviewed by a scientific  
9 technical advisory committee as directed by the Board.

10       (3) The design and implementation of monitoring shall be done in  
11 consultation with the Department and other Review Team agencies, and the  
12 sufficiency of information shall be judged in light of its scientific merit  
13 and what is reasonable and practical.

14       (A) Monitoring data shall be derived from agency monitoring  
15 programs, landowner monitoring programs, or cooperative projects.

16       (4) As a condition of plan approval, based upon substantial evidence in  
17 the record, the Director may require monitoring:

18       (A) Anytime after plan approval,

19       (B) Concurrent with timber operations, and

20       (C) After completion of operations during the remainder of the  
21 prescribed maintenance period.

22       (5) Pursuant to (b) (4), monitoring data shall be provided to the  
23 Director annually.

24       (c) The Department shall prepare an annual report in conjunction with a  
25 Board appointed technical subcommittee summarizing progress and significant  
findings from monitoring activities collected throughout the year in

Monitoring for Adaptive Management Proposal  
09/28/06 - DRAFT

1 accordance with subsection (b)(4) above. The report shall be (i) provided to  
2 the Board during the first quarter of each calendar year, (ii) made available  
3 to the public upon request, and (iii) placed on the Board's website for at  
4 least 180 days.

5 (d) Based upon the findings presented in the annual monitoring report(s),  
6 the Director may recommend additions, deletions or modifications to the  
7 Forest Practice Rules if the necessity for such a change is supported by  
8 substantial evidence in the reports. A specific recommendation based upon  
9 the findings that a rule requirement is no longer necessary shall also be  
10 supported by substantial evidence.